

VIA eFILE

PATENT APPLICATION  
Docket No. 16497.138.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                      |   |            |
|----------------------|---|------------|
| In re application of |   | )          |
|                      |   | )          |
|                      | D. Bruce Modesitt, et al.               | )          |
|                      |   | )          |
| Serial No.:          | 10/729,541                              | ) Art Unit |
|                      |   | ) 3773     |
| Filed:               | December 5, 2003                        | )          |
|                      |   | )          |
| Confirmation No.:    | 1905                                    | )          |
|                      |   | )          |
| For:                 | ARTICULATING SUTURING DEVICE AND METHOD | )          |
|                      |   | )          |
| Examiner:            | Julian W. Woo                           | )          |
|                      |   | )          |
| Customer No.:        | 57360                                   | )          |

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications or other references that are known by the attorney of record have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). No representation is made that any of these references constitute "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103; and no representation is made that a specific search of office files or patent office records has been conducted or that no better references exist.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or portion thereof is also enclosed, except for United States patents and United States patent publications that have not been required by the United States Patent and Trademark Office.

In accordance with 37 C.F.R. § 1.98(a)(3)(ii), all English translations known by the undersigned attorney of record to be within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each non-English reference, if any, are also enclosed.

Statement of Relevance of References Listed  
Unaccompanied by English Translation  
Under 37 C.F.R. § 1.98(a)(3)

Since all listed references are either in the English language or are accompanied by a translation into English, no concise explanation of relevance is required under 37 C.F.R. § 1.98(a)(3).

Fees

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.

- (a) Any additional filing fees required under 37 CFR § 1.16.
- (b) Any patent application processing fees under 37 CFR § 1.17.
- (c) Any post-issuance fees under 37 CFR 1.20.

If any additional extension of time is required, which has not otherwise been requested, please consider this a petition under 37 CFR 1.136 (a) to extend the reply period for this communication and charge any additional fees that may be required to Deposit Account No. 23-3178.

Dated this 16<sup>th</sup> day of February, 2010.

Respectfully submitted,

/Paul N. Taylor, Reg.# 57271/

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